

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MAURICE NEALY

PETITIONER

V.

CIVIL ACTION NO. 3:21-CV-696-DPJ-RHWR

BURL CAIN AND JOHN HENRY

RESPONDENTS

ORDER

On November 1, 2021, Petitioner Maurice Nealy filed this § 2254 habeas case challenging his 2009 murder, robbery, and motor-vehicle-theft convictions in Lauderdale County Circuit Court. Respondents moved to dismiss, arguing that Nealy's habeas claims are time barred. On June 1, 2022, United States Magistrate Judge Robert H. Walker entered a Report and Recommendation [10] recommending that the Court grant Respondents' motion and dismiss Nealy's claims with prejudice as untimely. Nealy did not file an objection, and the time to do so has now expired. Having considered the unopposed Report and Recommendation, the Court adopts it as its opinion. Respondents' Motion to Dismiss [8] is granted; the Petition is dismissed with prejudice as untimely. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 17th day of June, 2022.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE